

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MICHAEL C. COOK,

NO. C 05-3898

Petitioner(s),

**ORDER OF DISMISSAL**

v.

MIKE KNOWLES, WARDEN,

Respondent(s).

On September 27, 2005, petitioner filed this pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. That same day, the court sent a notification to plaintiff informing him that he had neither paid the filing fee nor submitted a completed application for leave to proceed in forma pauperis. The court provided a copy of the correct in forma pauperis application, along with a return envelope, and a notification that the case would be dismissed if plaintiff failed to pay the fee or file the completed application within thirty days. To date, petitioner has not paid the filing fee or submitted a completed application for leave to proceed in forma pauperis. Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee. The clerk shall close the file.

The Court certifies that any appeal is not taken in good faith. 28 U.S.C. § 1915(a)(3).

Dated: May \_\_, 2006

\_\_\_\_\_  
JAMES WARE  
United States District Judge

Order of Dismissal  
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1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2  
3 Michael C. Cook  
T-79529  
4 Pelican Bay State Prison  
5905 Lake Earl Dr.  
5 Crescent City, CA 95532

6 **Dated: May \_\_, 2006**

**Richard W. Wieking, Clerk**

7  
8 **By: /s/JW Chambers**  
**Melissa Peralta**  
**Courtroom Deputy**

**United States District Court**  
For the Northern District of California

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28 **Order of Dismissal**  
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